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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 JANE DOES 1-10, et al.,

11 Plaintiffs,

12 v.

13 UNIVERSITY OF WASHINGTON,  
14 et al.,

15 Defendants.

CASE NO. C16-1212JLR

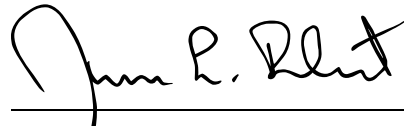
ORDER

16 On November 1, 2017, Plaintiffs Jane Does 1-10 and John Does 1-10 (“Doe  
17 Plaintiffs”) filed a notice of supplemental authority concerning *Washington Public*  
18 *Employees Association v. Washington State Center for Childhood Deafness & Hearing*  
19 *Loss*, 404 P.3d 111, 114 (Wash. Ct. App. 2017). (Notice (Dkt. # 124).) This decision  
20 involves an exemption to the Public Records Act (“PRA”), RCW ch. 42.56, based on the  
21 right to privacy under article 1, section 7 of Washington’s constitution. *Wash. Pub.*  
22 *Emps. Ass’n*, 404 P.3d at 115-17. The court ORDERS the parties to submit additional

1 memoranda addressing how this decision does or does not support Doe Plaintiffs' claim  
2 to a right of privacy in the personally identifying information contained in the documents  
3 responsive to Defendant David Daleiden's PRA request.<sup>1</sup> The court DIRECTS the  
4 parties to file simultaneous memoranda of no more than seven (7) pages on this issue no  
5 later than 12:00 p.m. on Tuesday, November 28, 2017.

6 Finally, the court also SCHEDULES a hearing for Wednesday, November 29,  
7 2017, at 10:00 a.m. concerning the issues surrounding the Ninth Circuit's remand (*see*  
8 USCA Order (Dkt. # 113)) and the parties' supplemental briefing on remand concerning  
9 the preliminary injunction (*see* Pl. Supp. Br. (Dkt. # 119); UW Resp. (Dkt. # 120); Def.  
10 Supp. Br. (Dkt. # 122); Pl. Supp. Reply (Dkt. # 123)).

11 Dated this 20th day of November, 2017.

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14 JAMES L. ROBART  
15 United States District Judge  
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22 <sup>1</sup> The court is aware of Mr. Daleiden's argument that Doe Plaintiffs' "privacy claim is dead." (Def. Supp. Br. (Dkt. # 122) at 2 n.2.) There is no need to revisit this issue in any of the parties' supplemental memoranda.